

REMARKS

This application has been reviewed in light of the Office Action dated June 17, 2005. Claims 45, 46, 49-51, 54, 55, 58, 61, 62, 66, 72 and 75 are presented for examination. Claims 47, 48, 52, 53, 63 and 78 have been canceled, without prejudice or disclaimer of subject matter. Claims 45, 50, 55, 58, 61, 66, 72 and 75 have been amended to define still more clearly what Applicants regard as their invention. Claims 49 and 54 have been amended to correct claim dependency. Claims 45, 50, 55, 58, 61, 66, 72 and 75 are in independent form. Favorable reconsideration is requested. The canceled claims will not be further addressed herein.

The Office Action Summary does not acknowledge the Patent Office's receipt of the certified copies of the Japanese priority documents in the parent Application No. 08/622,583. Because the certified copies of the priority documents were submitted to the Patent Office in the parent application, the Examiner is respectfully requested to check the Patent Office's records of the parent application to confirm such receipt, and to confirm in writing in the present divisional application that the certified copies were received. If the Examiner does not believe that the certified copies were submitted in the parent application, the Examiner is respectfully requested to contact the undersigned attorney.

An Information Disclosure Statement and a corresponding Form PTO-1449 was filed on July 16, 2004, as evidenced by the returned receipt postcard bearing the stamp of the Patent and Trademark Office, a copy of which is attached hereto. Applicants respectfully request the Examiner to return an initialed copy of the Form PTO-1449, indicating the reference cited thereon was considered.

Claims 45, 49-50, 54-55, 58 and 72 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,255,308 (Hashimoto) in view of Japanese Patent Application Laid Open No. JP 63-261947 (Imamura). Claims 46 and 51 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hashimoto and Imamura, in view of U.S. Patent No. 5,559,860 (Mizikovsky). Claims 61, 66 and 75 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hashimoto and U.S. Patent No. 4,682,367 (Childress), in view of U.S. Patent No. 5,369,694 (Bales). Claim 62 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hashimoto and Childress, in view of Bales, and further in view of Mizikovsky.

As an initial matter, Applicants note that the filing date of Bales is after the filing date of the present application and, accordingly, is not prior art. Applicants explanation of the distinguishing features of its claimed invention as it relates to Bales, below, is not an admission that such reference was properly cited as prior art.

As shown above, Applicants have amended independent Claims 45, 50, 55, 58, 61, 66, 72 and 75 in terms that more clearly define what they regard as their invention. Applicant submit that these amended independent claims, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

Claim 45 is directed to a wireless communication system that includes a plurality of communication apparatuses, including first and second communication apparatuses, and a control apparatus linked with the plurality of communication apparatuses. The system includes a link establishing unit adapted to establish links between the control

apparatus and the first and second communication apparatuses, respectively, in accordance with detection of an incoming call, and a discrimination unit adapted to discriminate a response to the incoming call of the first communication apparatus after the links between the control apparatus and the first and second communication apparatuses have been established by the link establishing unit. Also included in the system are a link maintaining unit adapted to maintain the link between the control apparatus and the second communication apparatus even if the first communication apparatus responds to the incoming call, a detection unit adapted to detect that a predetermined time has passed after the discrimination unit discriminates the response of the first communication apparatus, and a cut unit adapted to cut the link between the control apparatus and the second communication apparatus maintained by the link maintaining unit in accordance with detection by the detection unit.

Among other notable features of Claim 45 are a link maintaining unit adapted to maintain the link between the control apparatus and the second communication apparatus even if the first communication apparatus responds to the incoming call, and a cut unit adapted to cut the link between the control apparatus and the second communication apparatus maintained by the link maintaining unit in accordance with detection by the detection unit.

Hashimoto does not teach or suggest all of these features and, from the Office Action, it is understood that the Examiner does not disagree.

Hashimoto discloses that a control apparatus establishes links with a plurality of communication apparatuses when an incoming call is notified to the plurality of communication apparatuses in a group. However, nothing in that reference would disclose or suggest a link maintaining unit adapted to maintain the link between the control apparatus and

the second communication apparatus even if the first communication apparatus responds to the incoming call. Further, as the Office Action admits, nothing in Hashimoto would disclose or suggest a cut unit adapted to cut the link between the control apparatus and the second communication apparatus maintained by the link maintaining unit in accordance with detection by the detection unit, as recited in Claim 45.

Imamura does not remedy the deficiencies of Hashimoto. Imamura relates to a method of transferring an incoming call at a trunk line. When an incoming call arrives at a trunk line, a control circuit calls a first telephone extension A, and stores in a storage circuit information on the number of rings. When the number of rings reaches five (5), a switching instruction is sent from the storage circuit, and the control circuit simultaneously calls a second telephone extension B1 together with telephone A. When telephone extension B1 is busy or does not answer for a prescribed time, the control circuit simultaneously calls a third telephone extension B2. This process is repeated until the call is answered. At that time, the trunk line with the incoming call is connected to the telephone extension that first answered, and the call is stopped for the rest.

However, nothing in Imamura discloses or suggests a link maintaining unit adapted to maintain the link between the control apparatus and the second communication apparatus even if the first communication apparatus responds to the incoming call. Moreover, nothing in Imamura would even hint of a cut unit adapted to cut the link between the control apparatus and the second communication apparatus maintained by the link maintaining unit in accordance with the detection by the detection unit, as recited in Claim 45.

Accordingly, Applicants submit that Claim 45 is patentable over Hashimoto and

Imamura whether considered separately or in combination.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against Claim 45.

Independent Claims 50, 55, 58 and 72 each recite features that are substantially similar to those of Claim 45 emphasized above, and are also believed to be clearly patentable over the prior art of record for the same reasons as is Claim 45.

Claim 61 is directed to a communication apparatus capable of communicating with first and second apparatuses. The apparatus includes a communication apparatus capable of communicating with first and second apparatuses, a connection unit adapted to connect communication channels with the first and second apparatuses, respectively, in accordance with a communication request that is communicated from a third apparatus, and a channel maintaining unit adapted to maintain a communication channel connected by the connection unit with the second apparatus even if the first apparatus starts communication with the third apparatus. Also included is a detection unit adapted to detect that a predetermined time has passed after communication between the first apparatus and the third apparatus is started, and a disconnection unit adapted to disconnect the communication channel maintained by the channel maintaining unit in accordance with detection by the detection unit.

Among other notable features of Claim 61 are (1) a channel maintaining unit adapted to maintain a communication channel connected by the connection unit with the second apparatus even if the first apparatus starts communication with the third apparatus, and (2) a disconnection unit adapted to disconnect the communication channel maintained by the

channel maintaining unit in accordance with detection by the detection unit.

For substantially the same reasons as discussed above with respect to Claim 45, Applicants respectfully submit that nothing in Hashimoto would teach or suggest a channel maintaining unit adapted to maintain a communication channel connected by the connection unit with the second apparatus even if the first apparatus starts communication with the third apparatus, or a disconnection unit adapted to disconnect the communication channel maintained by the channel maintaining unit in accordance with detection by the detection unit, as recited in Claim 61.

The disclosures of Childress and Bales do not remedy the deficiencies of Hashimoto.

Childress merely relates to a system for allowing a mobile transceiver to join ongoing communications on a channel, and is not understood to remedy what is missing from Hashimoto.

Bales relates to telecommunication conference calls on a line appearance of a telephone terminal equipped with an actuator. A “meet-me-conference” is established by other telephone terminals by calling the telephone number associated with the line appearance. The user of the telephone terminal can join the conference by going off hook. The Office Action cites Bales as disclosing the disconnection unit feature of Claim 61. Applicants disagree. The cited passages merely discuss terminating a designated station set from the meet-me-conference call and transmitting notify messages to the remaining station sets and informing them that the designated station set has been disconnected (column 7, lines 34-38), and disconnecting a second or third telecommunication terminal from the meet-me-conference in

response to a user action on the first telecommunication terminal indicating disconnect (column 12, lines 3-8 and 44-49). However, nothing has been found in Bales that would teach or suggest a disconnection unit adapted to disconnect the communication channel maintained by the channel maintaining unit in accordance with detection by the detection unit, as recited in Claim 61.

Further, nothing has been found in Bales that would teach or suggest a channel maintaining unit adapted to maintain a communication channel connected by the connection unit with the second apparatus even if the first apparatus starts communication with the third apparatus, as recited in Claim 61.

Accordingly, Applicants submit that Claim 61 is patentable over Hashimoto, Childress and Bales whether considered separately or in combination.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against Claim 61.

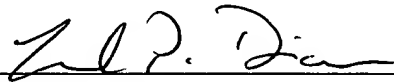
Independent Claims 66 and 75 each recite features that are substantially similar to those of Claim 61 emphasized above, and are also believed to be clearly patentable over the prior art of record for the same reasons as is Claim 61.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "L.P. Diana", is written over a horizontal line.

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